

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

**U.S. BANK NATIONAL
ASSOCIATION**, as Trustee for
GREENPOINT MORTGAGE FUNDING
TRUST MORTGAGE PASS-THROUGH
CERTIFICATES, SERIES 2006-AR4,

Plaintiff,

v.

Case No. 3:16-cv-01307-AC

AMENDED OPINION AND ORDER

**TERENCE EDWARDS; WEST COAST
SERVICING, INC.; GMAC
MORTGAGE, LLC; LSI TITLE
COMPANY OF OREGON, LLC; and
PERSONS OR PARTIES
UNKNOWN CLAIMING ANY RIGHT,
TITLE, LIEN OR INTEREST IN THE
PROPERTY DESCRIBED IN THE
COMPLAINT HEREIN,**

Defendants.

MOSMAN, J.,

On August 28, 2018, Magistrate Judge John V. Acosta issued his Findings and Recommendation (F&R) [74], recommending that I GRANT in part and DENY in part Plaintiff's Motion for Summary Judgment [56]. Defendant Terence Edwards untimely filed Objections to the F&R [99] after I issued an Order and Opinion adopting the F&R in full [96].

DISCUSSION

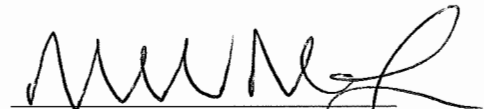
The magistrate judge makes only recommendations to the court, to which any party may file written objections. The court is not bound by the recommendations of the magistrate judge, but retains responsibility for making the final determination. The court is generally required to make a de novo determination regarding those portions of the report or specified findings or recommendation as to which an objection is made. 28 U.S.C. § 636(b)(1)(C). However, the court is not required to review, de novo or under any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the F&R to which no objections are addressed. *See Thomas v. Arn*, 474 U.S. 140, 149 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003). While the level of scrutiny under which I am required to review the F&R depends on whether or not objections have been filed, in either case, I am free to accept, reject, or modify any part of the F&R. 28 U.S.C. § 636(b)(1)(C).

CONCLUSION

Although Mr. Edwards's objections were untimely, I have reviewed those portions of the F&R to which he objected. Upon review, I agree with Judge Acosta's recommendation and I ADOPT the F&R [74] in full. I GRANT in part and DENY in part Plaintiff's Motion for Summary Judgment [56].

IT IS SO ORDERED.

DATED this 5th day of October, 2018.


MICHAEL W. MOSMAN
Chief United States District Judge